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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,079	04/13/2004	Tim Frost	09401-0104	3976
3490	7590	07/20/2006	EXAMINER	
DOUGLAS T. JOHNSON MILLER & MARTIN 1000 VOLUNTEER BUILDING 832 GEORGIA AVENUE CHATTANOOGA, TN 37402-2289			BASTIANELLI, JOHN	
			ART UNIT	PAPER NUMBER
			3751	
DATE MAILED: 07/20/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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101823 079

EXAMINER

ART UNIT	PAPER
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20060709

DATE MAILED:

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Commissioner for Patents

The reply filed on April 25, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Apparently the applicant did not read the restriction of April 3, 2006 as the applicant did not select either Group I or II (this restriction requirement is different than the one made on December 19, 2005 and is directed to different claims as the previous Group I is now being restricted into new Groups I and II). Regarding the applicant's argument that the applicant did not have a conversation with the examiner, the examiner attempted to call the applicant but since the applicant was not available at that time, the examiner mailed the restriction (the examiner never claimed to have a conversation with the applicant). The examiner wrote up specific instances that were not understood by the examiner in order to help the applicant avoid 112 rejections when the first office action is done as this will help move along the prosecution of the application and the applicant has not responded to those questions. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

John Bastianelli
Primary Examiner
Art Unit: 3751